

4/22/15

4:10 P.M.

Chapter No. 474

15/HR40/R1821SG

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HOUSE BILL NO. 828

Originated in House



Clerk

HOUSE BILL NO. 828

AN ACT TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONVEY AND TRANSFER, WITHOUT COMPENSATION, CERTAIN STATE-OWNED REAL PROPERTY AND IMPROVEMENTS LOCATED IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; TO AMEND CHAPTER 514, GENERAL LAWS OF 1983, TO AUTHORIZE THE BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT TO LEASE CERTAIN LAND TO THE MISSISSIPPI FEDERATION OF WOMEN'S CLUBS, INCORPORATED, FOR A PERIOD NOT TO EXCEED FIFTEEN YEARS; TO AUTHORIZE THE BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT TO RELEASE AN EASEMENT ALONG CERTAIN REAL PROPERTY LOCATED IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; TO AUTHORIZE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE MISSISSIPPI TRANSPORTATION COMMISSION, TO TRANSFER AND CONVEY BY MODE OF DONATION, CERTAIN REAL PROPERTY LOCATED WITHIN HOLMES AND ATTALA COUNTIES, MISSISSIPPI, TO THE NORTH CENTRAL MISSISSIPPI REGIONAL RAILROAD AUTHORITY; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) The Mississippi Department of Finance and Administration is authorized to convey and transfer without compensation all of the rights, title and interest in certain state-owned real property and improvements located at 421 West Pascagoula Street in the City of Jackson, Hinds County,

Mississippi, to the Mississippi Department of Corrections, subject to the requirements of Section 29-1-1(1).

(2) The state-owned real property to be conveyed and transferred under the provisions of this act is the same as was acquired by the State of Mississippi for the use and benefit of the Department of Finance and Administration as authorized under Section 16 of Chapter 87, Laws of 2003, Section 27-104-107, and as authorized by resolution of the State Bond Commission on June 21, 2004, resolution of the Department of Finance and Administration on June 18, 2004, and Resolution of the Mississippi Public Procurement Board at a special meeting on June 15, 2004. The real property herein described lying and being situated in the City of Jackson, Hinds County, Mississippi, and recorded in Deed Book 6071 at Page 430 in the Chancery Clerk's Office of Hinds County, Mississippi, is more particularly described as:

TRACT 1

A certain parcel of land lying and being situated in Lot 28, Miscellaneous Lots in West Jackson of H.C. Daniels Map of 1875 and being more particularly described as follows:

Commencing at the intersection of the South line of Pascagoula Street with the West right-of-way of Gallatin Street; thence run Southerly along the said West right-of-way line for 46.2 feet being the **Point of Beginning**; run thence Southerly along said right-of-way

of Gallatin Street for 96.4 feet; thence turn right 90°11' and run Westerly for 342.96 feet; thence turn right 89°48' and run Northerly 94.5 feet; thence turn right 89°43' and run Easterly 342.2 feet to the **Point of Beginning**; being all of said Lot 28 except formerly given for right-of-way widening of Gallatin Street.

TRACT II

A certain lot or parcel of land in Lot 27 of H.C. Daniels Map of 1875 of the City of Jackson, Mississippi, and more particularly described by metes and bounds as follows, to-wit:

Beginning at a point on the West line of Gallatin Street and South Line of Pascagoula Street, thence run South for 46.2 feet; thence West 342.2 feet; thence North 45.5 feet; thence East 342.2 feet to the **Point of Beginning** which is a part of Lot 27 Miscellaneous Numbers of West Jackson.

LESS AND EXCEPT:

Begin at a point that is 305.4 feet West of the West right-of-way of Gallatin Street and the South right-of-way of Pascagoula Street as now laid out and presently in use, thence run South for 45.57 feet; thence West for 36.5 feet; thence run North for 45.5 feet; thence run East for 36.5 feet to the **Point of Beginning**, said parcel containing 0.038 acres more or

less and being a part of Lot 27 Miscellaneous Numbers of West Jackson, Hinds County, Mississippi.

AND, LESS AND EXCEPT:

The following described land and property being situated in the Southwest Quarter (SW 1/4) of Section 3, Township 5 North Range 1 East, Hinds County, Mississippi, and being part of Miscellaneous Lot 27, West Jackson,

According to the Daniels Map of 1875 to wit:

Beginning at the Northeast Corner of the property described in Deed Book 3486 at Page 518, said corner being the intersection of the West right-of-way line of Gallatin Street and the South right-of-way line of Pascagoula Street; thence run Southward along the West right-of-way line of Gallatin Street for 32 feet; thence run Northwesterly for 41 feet to a point on the South right-of-way line of Pascagoula Street; thence run Easterly along the South right-of-way line of Pascagoula Street for 25 feet back to the **Point of Beginning**, said parcel containing 400 square feet more or less.

SECTION 2. Chapter 514, General Laws of 1983, as amended by Chapter 480, General Laws of 2000, is amended as follows:

Section 1. Upon the expiration of the lease and renewal lease provided for in Chapter 42, Laws of 1935, and Chapter 514, General Laws of 1983, the Bureau of Building, Grounds and Real Property Management, Department of Finance and Administration, is

hereby authorized, empowered and directed to lease the following described land to the Mississippi Federation of Women's Clubs, Incorporated, for a consideration to be set by the Bureau of Building, Grounds and Real Property Management, but not to exceed the sum of Five Hundred Dollars (\$500.00) per month, and for a period not to exceed fifteen (15) years and one (1) additional renewal period not to exceed fifteen (15) years. Such lease shall reserve all oil, gas and mineral rights in such land unto the State of Mississippi; prohibit the subleasing of such land unless approved in writing by the Bureau of Building, Grounds and Real Property Management; provide that at the end of the term of such lease or any renewal thereof all improvements on the land shall become the property of the State of Mississippi; provide that upon notice not less than ninety (90) days prior to the expiration of such lease the Mississippi Federation of Women's Clubs, Incorporated, shall have the right to renew the lease for an additional fifteen (15) years for a consideration to be renegotiated and set by the Bureau of Building, Grounds and Real Property Management; and provide that the building on such land shall not be placed on the National Register of Historic Places without the written consent of the Bureau of Building, Grounds and Real Property Management.

The land to be leased is situated in the City of Jackson, Hinds County, Mississippi, as follows:

Beginning at the point of intersection of the north side of Woodrow Wilson Avenue, and the west side of North State Street, in said City of Jackson, and running west along the north line of Woodrow Wilson Avenue 200 Feet; thence north a distance of 165 feet; thence east to the west line of North State Street; thence south along the west line of North State Street to the point of beginning, all of which lies in the SE 1/4 of Section 27, Township 6 North, Range 1 East.

Section 2. The Mississippi Federation of Women's Clubs, Incorporated, before the consummation of such lease, shall file with the Bureau of Building, Grounds and Real Property Management a resolution adopted by such corporation requesting that the above-described land be leased to it and shall pay to the Bureau of Building, Grounds and Real Property Management, and the Bureau of Building, Grounds and Real Property Management shall pay to the State Treasurer, the consideration as set by the bureau on a semiannual basis. However, any required monthly rental amount may be paid in-kind by the Mississippi Federation of Women's Clubs, Incorporated, by making permanent improvements to the building on such land and furnishing proof of the cost of such improvements to the Bureau of Building, Grounds and Real Property Management, or by providing services or monetary support to the Mississippi School for the Blind, Mississippi School for the Deaf, or any other state agency, or by providing services or conducting

programs in the fields of education, health, arts, public affairs and conservation which further the state's interest in these areas. In such event, the Bureau of Building, Grounds and Real Property Management shall notify the State Treasurer of the payment in-kind, the amount or value of such payment as determined by the Bureau of Building, Grounds and Real Property Management, and the period of time during which the monthly rental amount will be considered to be paid by such in-kind payment.

Section 3. It shall be understood, however, that this authority is granted upon the condition and stipulation that the land leased shall be used in the furtherance of the work of the Mississippi Federation of Women's Clubs, Incorporated, and with the understanding that if or when such land is no longer used exclusively for that purpose, any outstanding lease on such land shall be terminated and the land and all appurtenances thereon shall revert to and be vested in the State of Mississippi. However, the Mississippi Federation of Women's Clubs, Incorporated, subject to the approval of the Bureau of Building, Grounds and Real Property Management, may sublease a portion of the property to a nonprofit organization that is tax exempt under Section 501(c)(3) of the United States Internal Revenue Code.

Section 4. This act shall take effect and be in force from and after its passage.

SECTION 3. The Bureau of Building, Grounds and Real Property Management, Department of Finance and Administration, is hereby

authorized to release an easement being fifty (50) feet in width, located along the western boundary line of property that was deeded to the Salvation Army pursuant to Chapter 852, Laws of 1972, and which deed was executed on November 24, 1972, in the City of Jackson, Hinds County, Mississippi, and being more particularly described as follows:

Starting at the Northeast corner of Murrah Drive and Riverside Drive in the City of Jackson, Hinds County, Mississippi, and run thence N 89 degrees -47'-20" E along the North line of Riverside Drive for 1,100 feet to the true point of beginning; thence run North 00 degrees -12'-40" West 500 feet to a stake; thence run North 89 degrees - 47'-20" East 375 feet to a point; thence run South 00 degrees - 12'-40" East for a distance of 500 feet to the North line of Riverside Drive; thence run South 89 degrees - 47'-20" West and along said North line of Riverside Drive for a distance of 375 feet to the true point of beginning. Said parcel of land being situated in the Northwest Quarter of the Northeast Quarter of Section 35, Township 6 North, Range 1 East, Hinds County, Mississippi.

SECTION 4. (1) The Executive Director of the Mississippi Department of Transportation, on behalf of the Mississippi Transportation Commission may transfer and convey by mode of donation and without consideration to the North Central

Mississippi Regional Railroad Authority, certain real property located within Holmes and Attala Counties, Mississippi. The property is more particularly described as follows:

The only rail line owned by the Mississippi Department of Transportation and/or the State of Mississippi located in Durant, Holmes County, Mississippi, at its point of beginning at Aberdeen Junction and running Easterly to its point of terminus in Attala County, Mississippi.

(2) The State of Mississippi shall retain all mineral rights in the property transferred and conveyed by mode of donation under subsection (1) of this section.

(3) The Mississippi Transportation Commission is vested with the authority to correct any discrepancies in the legal descriptions of the properties described in subsection (1) of this section on behalf of the transferring entities.

SECTION 5. This act shall take effect and be in force from and after its passage.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 31, 2015


SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 31, 2015


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR

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